



**WOODSTOCK PLANNING & ZONING COMMISSION  
REGULAR MONTHLY MEETING  
THURSDAY, FEBRUARY 20, 2014 at 7:30 P.M.  
WOODSTOCK TOWN HALL, MEETING ROOM 1**

**MINUTES**

**I. MONTHLY MEETING AT 7:30 PM**

- a. **Call to Order** – Meeting was called to order by Chair Gordon at 7:36 P.M.
- b. **Roll Call** – Dave Fortin, John Anastasi, Gail Dickinson, Jeff Gordon, Delia Fey, Fred Rich, Syd Blodgett, Joseph Adiletta, Lynne White and Dorothy Durst.  
**Absent:** Doug Porter, Travis Sirrine and Dexter Young.  
**Others Present:** Patricia Lacasse (Recording Secretary).  
It is noted for the record that there is a quorum for PZC to conduct business.

**II. CITIZENS' COMMENTS – None.**

**III. CHAIR'S REPORT**

Chair Gordon thanked the Commissioners for their attendance each month and the subcommittee members as well. He also thanked Delia Fey, Tina Lajoie and Patty Lacasse for their continued hard work behind the scenes and at the meetings. He reminded everyone about the Annual Legal Training Session which will be March 27, 2014, at 7:30 P.M. at the town hall. This invitation is also extended to the ZBA.

**IV. DESIGNATION OF ALTERNATES – Lynne White.**

**V. MINUTES**

- a. Meeting Minutes – January 16, 2014
- b. Site Walk Meeting Minutes – January 25, 2014

**MOTION TO APPROVE THE MEETING MINUTES AS PRESENTED BY DAVE FORTIN, SECONDED BY JOHN ANASTASI. ONE CHANGE BY CHAIR GORDON. MOTION PASSED UNANIMOUSLY. CORRECTION IN BOLD:** Page 3, first paragraph – Further, in order for the town to have a **noise** ordinance, they have to go through CT DEEP and have an ordinance written up and voted on at a town meeting.

**MOTION TO APPROVE THE SITE WALK MEETING MINUTES AS PRESENTED BY DAVE FORTIN, SECONDED BY JOHN ANASTASI. MOTION PASSED. NO CHANGES. LYNNE WHITE ABSTAINED.**

**VI. NONRESIDENTIAL ZONING PERMIT**

- a. Toni Perkins, LMT, 7 Beeches Lane – Business name change (massage therapy). Delia Fey reviewed the application. The applicant has requested a business name change to Toni Perkins, LMT.

**MOTION TO APPROVE BY JOSEPH ADILETTA, SECONDED BY LYNNE WHITE. MOTION PASSED UNANIMOUSLY.**

- b. East Woodstock Congregational Church, 220 Woodstock Rd – concrete ramps and stairs, 52' x 10'. Ms. Fey presented the proposal on the overhead. The applicant, Glen Lessig, was present to answer any questions. Mr. Lessig explained the construction and how the new ramp will transition better to the parking lot, will be concrete, covered, totally protected, to code and less steep.

**MOTION TO APPROVE BY GAIL DICKINSON, SECONDED BY JOSEPH ADILETTA. MOTION PASSED UNANIMOUSLY.**

**MOTION TO MOVE AGENDA ITEMS X AND XI TO AGENDA ITEMS VIII AND IX MADE BY FRED RICH, SECONDED BY DAVE FORTIN. MOTION PASSED UNANIMOUSLY.**

**VII. NEW BUSINESS – None.**

**VIII. ZEO REPORT – (FORMERLY AGENDA ITEM X)**

- a. Report on Zoning Enforcement – February 2014 - Ms. Fey gave updates:
  - 4 Perrin Road – Property owner indicated that he is still working on cleaning up the property.

●450-580 Brickyard Road – Property owner’s contact stated that they are in the process of removing the tent and they do not have any “resort activities” on site and will have the website changed to indicate this, and they are also in the process of registering each vehicle. She will follow up in 4-6 months. PZC discussed the recurring violations at this property regarding the unregistered vehicles and that they may need to address this further.

b. Report on Zoning Permits– February 2014 – Update given in report (See report).

**IX. BUDGET REVIEW AND BILLS – (FORMERLY AGENDA ITEM XI)**

a. Bills – Two bills not requiring a vote: Stonebridge Press, Inc. and WB Mason Co. Inc.

Requiring a vote: Design Professionals for Linemaster’s SP application, work done from January 1 through 31, 2014, \$300.00; Updike, Kelly, Spellacy for legal input, review and services (covered under Delia’s budget).

**MOTION TO APPROVE PAYMENT FOR DESIGN PROFESSIONALS IN THE AMOUNT OF \$300.00 MADE BY JOSEPH ADILETTA, SECONDED BY FRED RICH. MOTION PASSED UNANIMOUSLY.**

b. Budget review – Mr. Adiletta stated that he was pleased to see the invoices listed for the legal expenses.

**MOTION TO MOVE AGENDA ITEMS XIII AND XIV TO AGENDA ITEM X AND XI, MADE BY DAVE FORTIN, SECONDED BY FRED RICH. MOTION PASSED UNANIMOUSLY.**

**X. CORRESPONDENCE – (FORMERLY AGENDA ITEM XIII)**

a. CT Federation of Planning & Zoning Agencies Quarterly Newsletter.

b. CFPZA Annual Conference, 03-13-14 at Aqua Turf, Southington, CT.

c. Suburban Retrofit Forum of 2014, 02-28-14, The Lyceum, Hartford, CT.

**XI. MINUTES OF OTHER BOARDS AND COMMISSIONS – (FORMERLY AGENDA ITEM XIV).**

a. IWWA Minutes of 02-10-2014

b. ZBA Minutes of 01-28-2014

**MOTION TO RECESS MEETING UNTIL 8:00 P.M. MADE BY DAVE FORTIN, SECONDED BY FRED RICH. MOTION PASS UNANIMOUSLY.**

**XII. PUBLIC HEARING AT 8:00 P.M. (FORMERLY AGENDA ITEM VIII)**

a. #SP575-07-11M Linemaster Switch Corp., 29 Plaine Hill Rd – Proposal for event center.

Chair Gordon opened the public hearing at 8:05 P.M., provided hearing guidelines for the public and confirmed that the legal notices were published, as required by state statute. Chair Gordon highlights all the documents received: A large “packet of information” dated 02/11/14, prepared by Ed Lally & Assoc., revised Site Modification Plans/Maps, a letter regarding staff comments, PZC concerns and agency approvals and a Proposed Design Study received on 02/12/14; a memo from the Town Planner dated 02/14/14; ZBA meeting minutes from 01/28/14 and a letter from Tina Lajoie confirming the variance approval; Conservation Commission meeting minutes from their 01/14/14 meeting; a memo from the Fire Marshal, Richard Baron, dated 02/12/14; an email from Mark Lewis from the CT DEEP dated 02/19/14.

Delia Fey stated that the applicant has received approval from the NDDH on 01/22/14 and WPCA decision is still pending. CT DEEP has confirmed that the proposal will not exceed allowance for the amount for withdrawal of water. ZBA has approved the variance on 01/28/14 to allow for nonresidential buildings on their property to exceed 30,000 sq. ft. of gross floor area. The Fire Marshal, Richard Baron, reviewed the plans and has requested revisions to the concrete adjacent to the building to better accommodate fire apparatus near the building in the event of an emergency. Andrew Krar, Town Engineer reviewed and he commented that the bond amount is acceptable. Fey also stated that because the area of disturbance is exceeding one half acre, the E&S control plan will require a certification per state statute CGS 22a-329 and she has reviewed the proposed E&S control plan and found it acceptable and recommended approval.

Both Tom Carlone of Thomas P. Carlone, AIA, LLC and Ed Lally of Ed Lally & Associates, Inc. were present to answer any questions. Tom Carlone stated that the site is a relatively level site with open grass area and a few trees will be relocated. Ed Lally describes the proposal details: 7,900 square foot new banquet facility, single story with 175 seats and a new kitchen. They have widened out the pavement area at the request of the fire marshal. An outdoor patio area is proposed about 105 feet from the mansion. When complete only 9.1% of the 49+ acre site will be impervious surface. The sanitary sewer already on site is to be utilized and there will be a 1,000 gallon grease trap on the kitchen waste before it is discharged into the sanitary sewer. The existing well to be used for water withdrawal and has been approved by the CT DEEP. They are proposing to reconstruct the

existing parking area to provide for 39 total spaces and two handicapped. The traffic impact would be at nonpeak times. All proper temporary and permanent E&S controls will be in place to protect the site from impact created by construction. There will be no disturbance of soils of "concern" around the existing manufacturing facility as found by the EPA and as regulated by the CT DEEP and others, and there is to be no disturbance to that soil. There is no activity proposed in any wetland or watercourse. The Fire Marshal, Richard Baron, had some concerns about access to the two ponds on the property. Mr. Lally reviewed the items on the special permit application checklist and further stated that they have met all of the criteria as required, except that they are still awaiting WPCA approval at this time.

Comments and questions by the PZC are relating to the following:

Signage and lighting details are being requested. Mr. Lally explained that there are a number of proposed signs and they wish to leave the existing ones at the street and further in on the property alone. They are proposing additional signs: three 10 MPH signs posted along all of the drives; a one-way sign posted to the driveway; another added to the loop driveway; four exit signs. No new lighting is being proposed, just the relocation of two existing light fixtures. Chair Gordon brought up a condition noted in the last special permit approval about adding a sign to turn left onto Rt. 171 to the light on Rt. 169 instead of merging directly onto Rt. 169. Mr. Lally stated that they would add this sign as a condition of approval. It was noted that this property is not in the Historic District. There was a discussion on the fire marshal's report relative to the ponds and adding a dry fire hydrant and the fire marshal stated that fire pond #1 would be most suitable and it was agreed that this could be a condition of approval if necessary. The distance to the contaminated soil at this designated superfund site was discussed (250 feet) and it was confirmed by Ms. Fey that DEEP has seen the revised plans which show the restrictions. There were questions on the handicap parking and grade being too steep, as indicated by Design Professionals. Mr. Lally stated the plan was revised with the pitch being less than 5% which was acceptable.

Public Comment:

- Mark Ruggeri - Had concerns as to outdoor music. Mr. Lally responded that the town does not have a noise ordinance but if there were any outdoor activities, they would take place to the north of the mansion in between the two facilities. He further stated that the whole purpose of the new facility is to try to move the larger bulk of the activities inside the new building. Proposal also includes a patio area to be used for cocktail bar area and softer music. Chair Gordon clarifies for PZC that public hearing cannot be closed until WPCA makes their decision.

**MOTION TO CONTINUE PUBLIC HEARING FOR #SP575-07-11M FOR LINEMASTER SWITCH TO THE REGULAR PLANNING AND ZONING MEETING OF MARCH 20, 2014, AT 8:00 P.M. MADE BY DAVE FORTIN, SECONDED BY JOHN ANASTASI. MOTION PASSED UNANIMOUSLY.**

b. #SP618-12-13 Mark Reynolds, 835 Route 169 (Map 7280, Block 29, Lot 57) – Proposal for off-road motorcycle events.

Chair Gordon provided guidelines for the public hearing. The following documents were noted as part of the record: two memos from Town Planner dated 02/14/14 and 01/31/14; a letter from the Town of Plainfield dated 01/31/14; an email from Mark Reynolds dated 02/05/14, in response to the Town Planner's letter of 01/28; a memo from Tina Lajoie, Acting Wetlands Agent, dated 02/12/14; a report from the Conservation Commission dated 01/14/14; a large packet of correspondence from members of the public; a presentation received 01/20/14 from Tom Swale; documents regarding the noise issues by Attorney Roberts presented at the Public Hearing on 01/16/14; nine intervenor petitions. Further, Chair Gordon stated that there is separate state statute regarding the petitions. Chair Gordon stated, for the record, that he and Ms. Fey spoke with the town attorney regarding the petitions and the process that has to be followed. According to CGS 22a-19a, they can only be issued for the sole purpose of the CEPA statute. Of note, they have all been properly notarized and have been duly sworn. Without objection, the Commission accepted each Intervenor petition. He provided guidelines for the intervenors.

Intervenor petitioner names as listed by Chair Gordon:

Nancy Shevin, William Shevin, Edward H. Steinhauser, Nora N. Steinhauser, Dorothy J. Beatson, Karen S. Ryker, Sarah Jo Burke, Brian Dennehy, Jennifer A. Dennehy, Bruce G. Kosa, Donna F. Kosa, Alexandra Lyman, Bruce T. Lyman, Patricia Curran, Edward A. Curran.

A copy of a letter from the town attorney dated June 26, 2008 was provided to all Commissioners as to what their role is in handling intervenor petitions. An additional document/proposal was submitted today 02/20 by the applicant, Mark Reynolds. Joe Adiletta stated, for the record, that since the last public hearing, and in the interest of the public, he did attend a motocross event in Massachusetts that was promoted by J Day Off-road to try to gain more knowledge about the event.

Delia Fey gave a brief description of the site walk that was conducted on Saturday, January 25, 2014. Ms. Fey also gave a report regarding the application stating that Mr. Reynolds has submitted all information as requested and she further stated that the application is for 2 one-day off-road motorcycle races per year, and falls under the "commercial recreation facilities" listed as a special permitted land use in the zoning regulations and that there is nothing in the regulations that requires a facility to be permanent, year-round or to be indoors. She stated that she contacted several towns in Massachusetts and also Chepachet, RI and Plainfield, CT and they received a response from Chepachet, RI on January 15, 2014, and Plainfield, CT on January 9, 2014, and from Huntington, and Monson, MA and not one of the towns knew of any problems at the events held in their towns.

The applicant, Mark Reynolds, was present for comment and to answer any questions. He summarized his proposal stating that they are proposing to hold an off-road motorcycle trail race, at 835 Route 169 and that this will be a one-day event held twice yearly and during daylight hours. Participation is estimated to be between 200-450 people. This event will help raise funds to pay for their property taxes. The course is a pre-existing trail approximately two miles in length and the event will consist of six motos running in the morning and six in the afternoon. Traffic for the event will be directed by a constable via an established driveway into the rear of the parking area. Events will take place rain or shine but may be cancelled or postponed due to unpassable conditions. An ambulance crew and safety crews will be on site from the start of the event. Trails will be ribboned off to keep spectators safe. No parking will be allowed on the side of the road at any time. Portable toilets will be on site as needed as well as trash receptacles. Food vendors will be invited and will be required to have state and town permits as well as fire extinguishers and no alcohol will be allowed on the property. All participants would be asked to load and leave in a timely fashion at the end of the event. The property would not be available to the public for practice at any time before or after the event. Lastly, he wanted to emphasize that these events will not affect the look of the property and any needed repair to the trails and fields will be taken care of in the following weeks after the event.

Comments and questions by the intervenors:

- Donna Kosa – Ms. Kosa stated that when neighbor, Peg Rohloff, contacted her and other people in town regarding the proposal and she received the letter in early January as an abutter, a very large group formed. People from all over town, not just in the immediate area, got together to address their concerns. They all decided that there are some serious legal issues. The first being noise and Mr. Reynolds has addressed very little of this. The second issue would be the environmental issues. Pesticides and dust; pesticides from a historical apple orchard and dust abatement. These are very serious public health hazards for residents and attendees of the event and should be addressed appropriately. She stated that they have rights to the enjoyment of their property without unacceptable noise. They also believe that this is a dangerous precedent to set if allowed. They researched other towns and discovered in Warren, MA that a developer proposed a motocross track on a two-lane scenic road in a residential part of town. Noise was a huge concern as well and there was an overwhelming outcry against this development at their public hearing and the developer was required to submit a noise analysis. The outcome was that the Warren Planning Board voted unanimously against granting the permit and the noise study was the most important factor in the decision. So based on the Warren experience, a noise expert was consulted for an objective scientific analysis of this situation in Woodstock. They commissioned Acentech Inc. in Cambridge, MA, documents were submitted during the meeting. Jonah Sachs, Senior Consultant in Acoustics whose team did the analysis, was present to discuss the results. Also, the pesticides in the historic apple orchard are a major concern and they presented documentation in their letter and received a statement from the DEEP stating that the town should test the soil or have Reynolds test it because there is a danger of lead arsenic, DDT and others. By the soil being stirred up, the people in the surrounding areas can be affected; also the water supply.

- Jonah Sachs, Senior Consultant in Acoustics from Acentech, Inc. from Cambridge, MA stated that they had been retained by Attorney Roberts. Chair Gordon made a comment, for the record, that this presentation is relative to Donna Kosa as an intervenor. Jonah Sachs made his presentation on the noise analysis as it would pertain to the Woodstock, CT area and is based on the observations and measurements of an existing J Day Off-road Racing Track in Wareham, MA. The CT DEEP defines excess noise or noise from a residential or agricultural property to another residential property exceeding 55 dBA. Other states, including Massachusetts, use the approach that when assessing the impact of a new noise source they would need to establish the existing background noise level and then predict the new sound levels from the new source and if the new sound's level exceeds the existing sound level by more than 10 dBA, than this is considered excessive. The decibel scale has its own particular rules; for instance units of 10 dBA is doubling a sound level. At the Wareham, MA site they measured sound levels at the beginning of each race of 12 motorcycles at a distance of 100 feet at 91 dBA. Up to 1400 feet they

measured 63 dBA. Existing background levels over a six-day period for daytime levels varied between 25 to 43 dBA. He concluded that the proposed motorcycle racing activities at 835 Route 169 would result in significant adverse noise impacts to the surrounding residential properties from the closest, 150 feet away at 86 dBA, to ¼ mile away at 61 dBA. He further explained that 86 dBA would be a sound that you would have to shout to be heard over.

- Mark Reynolds gave his rebuttal stating that he doesn't want noise to be a concern but obviously it is, and that the motorcycles are no different than the noise from the Woodstock Fair or for that matter the use of farming equipment used throughout the season.

- Bruce Kosa – Mr. Kosa cited his issues as noise, pesticide contamination and dust control. He stated that there have been no environmental reviews of this project and at the last PZC meeting of 01/16/14, Mr. Reynolds mentioned that part of the proposed course is on an old historic apple orchard. Spraying of pesticides is well known and documented and a significant hazard in the U.S. Typically they used lead and arsenic. On 02/04/14, he spoke with the CT DEEP about the problem and it was suggested that the applicant have a soil analysis done. He further stated that an application dated 05/17/01, #SP445-01-06 for the Hawkins Road Athletic Field, which contained a significant amount of pesticide from an old apple orchard, had to be dropped. He also stated that the same type of pesticide may very well be present on the Reynold's property which would require special procedures for dust control. Testing should be required by PZC. He further stated that the property has not been adequately accessed for the presence of wetlands and the subject of erosion control has not been put in place. He believes the bikes will damage the tracks and erosion will be a problem. What erosion controls will be in place and how will this affect the environment? Lastly, wildlife is the other issue that would be greatly disrupted and what would happen to the wildlife as a result of this disruption?

- Karen Ryker – She cited the noise, pesticides, dust and the wildlife are her concerns. The strong winds on the hill could kick up the dust onto their property as has happened when a neighbor was mowing their lawn. The noise was characterized as the sound of 100 beehives and listening to this for eight hours would be very difficult.

- Jennifer Dennehy – Presented a video recorded on 02/05/14 from an open window of her home. She stated that the recording was of one motorcycle on the Reynold's property. She stated that the noise is already very disruptive to their home and feels that they will be forced to leave their property at the time of the races.

- Mark Reynolds commented that what they were hearing could have come from a snowblower and he also noted that at the last meeting another neighbor mentioned a birthday party that could be heard from the Dennehy household which they could hear as well.

No other intervenors chose to speak.

**MOTION TO CONTINUE BUSINESS BEYOND 10:00 P.M. MADE BY DAVE FORTIN, SECONDED BY JOHN ANASTASI. MOTION PASSED UNANIMOUSLY.**

Comments and questions by the public:

- Marjorie Holtzer – Comments that she resides in Pomfret but her land extends to Woodstock and she is a taxpayer in town. The right to pollute her air and water is thankfully enforced by state and federal laws but the law to stop noise pollution stops to protect her enjoyment of her home. She spoke about her neighbor who has the legal right to shoot on his land from August through October on Friday, Saturday and Sunday from early morning until the end of the day. She will never be able to show her property for sale on those days, indeed, she would not buy it herself under those conditions. She cannot take a nap or ride a horse on those days not to mention the horror of thinking that you are in a war zone. She strongly urged the PZC to reject this application even for two or three events.

- Rachel Donnell – Recently bought into Woodstock because it is known as the quiet corner. She comments on the cost to the taxpayers for the use of the fire department and how the "no alcohol" rule will be enforced and who will be enforcing the rules in general? Does the organizer have experience to handle this type of event? The Town should be careful that they are not setting any precedent if this is allowed. Noise and pollution are her primary concerns.

- Karen Ryker – Is speaking on behalf of Patrick Blomberg, an abutter of the Reynold's property. It was confirmed by Ms. Fey that his letter was part of the record and Ryker then read his statement into the record which focuses on his concerns of building a home on his property next to this location, the excessive noise that would come from this type of event, decrease in property values, increase in racing in the future. He is unsure about developing his property now and is trusting PZC to represent all citizens to preserve the good quality of life in town.

- Alexandra Lyman – She asks PZC to consider that accepting this application infringes on the rights of property owners and reduces property values. Also, there are five churches within hearing range of this activity.
- Tom and Sandra Swale – Gave a Powerpoint presentation indicating the noise problems associated with the motocross industry and the effect that this would have on the area and they stated that they are charging the Commission as representatives to protect all of the residents of this town.
- Denise Sheldon – She stated that there are many people who are in favor of the proposal and they are not present due to feeling that they might be “guilty by association”. She felt that it is difficult to watch the Reynolds being put through this and is it selfish of them or selfish to ask others to have this. She stated that she is in favor of the track and it is only for 2 events per year and would not change the property or the town. Mark has followed all of the guidelines set forth for this permit and why should this not be granted?
- Steve Smock – Doesn’t have a problem with the track or with the Reynolds family but is Woodstock the place to do this?
- Jock McClellan – Has been property owner for centuries and doesn’t like to be told what he can or cannot do on his property but that ends at the boundary and the boundary does not stop noise. Everyone talks about Mr. Reynold’s right to do what he wants to do on his property but everyone else has the right to enjoy their property as well. The regulations state for a special permit that the activity will generate “minimal” offsite impacts including but not limited to adverse effects on property values and the reasonable use and enjoyment and development of property in the surrounding neighborhoods. That is what the Commission is charged to do. Beyond that Commissioners are, in a sense, elected moral leaders in this community. This is a very pivotal decision in the community about whether they want to continue to be part of the quiet corner. You have the authorization under your regulations and the responsibilities to protect the rights of not just Mr. Reynolds but countless other people in the surrounding community. He further stated that monetary incentives have a way of making things grow. How is this going to be controlled? People will want to move because of this and it will affect property values and they can decrease up to 30% because of noise.
- Ned Lloyd – He stated that a year or so ago the Land Use Commission gave a presentation at the town hall on how to use their property for low impact use such as this event to keep the property tax down. When Senexet Village was created so much material was removed or disturbed that they could not open their windows and for over 4 years they had massive dust pollution.
- Laurie Reynolds – She has lived in Woodstock most of her life and she talked about the fair and that it is part of the charm of Woodstock however the go-cart races are loud and can be heard through the night, but they get through this just fine. The traffic at the Roseland Cottage fair and at the concerts is also difficult and they get through them just fine.
- Kevin Perry – He stated that the event takes place in November and February and there will be no dust and the windows won’t be open at that time. He asked the question if Mark was going to take 150 friends over for riding, would he have to ask the Commission since it is his property and shouldn’t have to ask anyone? He suggests maybe letting him have one event to see how it goes.
- Ann Monteiro – They live ½ mile from the property and the bikes are loud now and they not only ride the track but ride up and down Route 169 as well. They already have a large motorcycle problem as it is on Route 169. She cannot afford to lose 30% of her home property and doesn’t want to see for sale signs around her neighborhood.
- James Holland – Not a Woodstock native but is a Connecticut native. There is a racetrack where he comes from in Sharon, CT for cars, but he stated that if they had the ability to choose again to allow the racetrack at this point they would have not been in favor of the track. He said that this would be very difficult to reverse once approved.
- Chandler Paquette – How many people can say in the community that they have been in Woodstock for many generations? He stated that the noise might be tolerable and supports keeping the open space.
- Ken Rappaport – He stated that the PZC should look at creating a noise ordinance.
- Ted Steinhouser – He is retired from the military and was hoping to move to this community because it is the quiet corner and hopes that he didn’t make a mistake.
- Jay Bentley – He is here to support Mark and would rather see motorcycles than houses being built.
- Margaret Rohloff – She has a son with Down’s Syndrome. He works at Stop & Shop and when he comes home, the first thing he does is goes up to his room and sleeps for an hour or so and she doesn’t want to see her son impacted by this disturbance.
- Dan Monroe – He knows the applicant and does not have a problem with the noise and feels that this would be a benefit to the area.
- Jay Reynolds – One reason he has stayed in town is the diversity here. He asks PZC to give this shot and go from there.

●Rich Roberts – Attorney for Mrs. Rohloff and others present. He stated for the record that the fair has been here since 1858 and is not a fair comparison. There is substantial evidence on the record of more than minimal adverse impacts on property values and on the ability of neighbors to use and enjoy their property in a reasonable manner and therefore the special permit criteria are not met.

At this time, PZC discussed the manner in which to proceed. After it was suggested that soil testing be done by the applicant, Ms. Fey states that it is not the burden of the applicant to have any testing for any claims that have been made by the intervenors, it is the burden of the intervenors. Mr. Reynolds is given an opportunity to rebut the intervenor's claims but Chair Gordon reminds the Commission that this must be done at a Public Hearing and the applicant must request of the Commission a continuance since otherwise per state statutes the Commission had reached the legal time limit for conducting the public hearing without a continuance request. It is decided that it would be appropriate to schedule a special meeting for this one application only.

**MOTION TO CONTINUE THE PUBLIC HEARING AT A SPECIAL MEETING ON MARCH 6, 2014, AT 7:30 P.M., SECONDED BY JOHN ANASTASI. DISCUSSION ON THE MOTION. MARK REYNOLDS WAS ASKED SEVERAL TIMES IF HE WISHED TO CONTINUE THE PUBLIC HEARING AND HE STATED "NO". FRED RICH WITHDREW THE MOTION.**

**MOTION TO CLOSE PUBLIC HEARING FOR #SP618-12-13 FOR MARK REYNOLDS MADE BY FRED RICH, SECONDED BY DAVE FORTIN. MOTION PASSED UNANIMOUSLY.**

**XIII. OLD BUSINESS**

a. #SP575-07-11M Linemaster Switch Corp., 29 Plaine Hill Rd – Proposal for event center. – Public hearing continued to March 20, 2014, regular PZC meeting at 8:00 P.M.

b. #SP618-12-13 Mark Reynolds, 835 Route 169 (Map 7280, Block 29, Lot 57) – Proposal for off-road motorcycle events. – Scheduled for 03/06/14, special PZC meeting at 7:30 P.M.

**MOTION TO SCHEDULE A SPECIAL PLANNING AND ZONING MEETING FOR #SP618-12-13 FOR MARK REYNOLDS ON MARCH 6, 2014, AT 7:30 P.M. MADE BY JOHN ANASTASI, SECONDED BY LYNNE WHITE. MOTION PASSED UNANIMOUSLY.**

**XIV. CITIZENS' COMMENTS – None.**

**XV. OTHER – None.**

**XVI. ADJOURNMENT**

**MOTION MADE BY FRED RICH, SECONDED BY SYD BLODGETT TO ADJOURN THE MEETING AT 11:20 P.M. MOTION CARRIED UNANIMOUSLY.**

Respectively submitted by,

Patricia A. Lacasse - Recording Clerk, Planning & Zoning Commission